



ORIGINAL

25H

0000059958

## BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

COMMISSIONERS

Arizona Corporation Commission

2003 MAR 18 A 9:20

DOCKETED

AZ CORP COMMISSION  
DOCUMENT CONTROL

MAR 18 2003

MARC SPITZER, Chairman  
JIM IRVIN  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
TELIGENT SERVICES, INC. FOR  
CANCELLATION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

DOCKET NO. T-03761A-01-0911

PROCEDURAL ORDER**BY THE COMMISSION:**

On November 16, 2001, Teligent Services, Inc. ("Applicant") filed for emergency authority to discontinue the provision of local exchange service.

On January 11, 2002, Staff filed its Staff Report in this matter. Staff recommended approval of Applicant's request to discontinue local exchange service. Staff also recommended that Applicant's Certificate of Convenience and Necessity ("Certificate") to provide local exchange service be rescinded.

On February 8, 2002, Applicant filed exceptions to the Staff Report. Specifically, Applicant requested that Staff reconsider its decision to recommend the cancellation of Applicant's Certificate to provide local exchange services. Applicant relied upon the pending reemergence plan that was pending approval by the Bankruptcy Court.

On August 1, 2002, the Commission issued a Procedural Order that ordered Applicant to file a memorandum by August 21, 2002 updating the Commission regarding the Bankruptcy Court proceedings.

On August 20, 2002, Applicant filed a memorandum that stated that the Bankruptcy Court had set a hearing to formally consider Applicant's plan of reorganization for September 5, 2002. Applicant stated that it would provide the Commission further updated information about the September 5, 2002 hearing as soon as possible.

On September 12, 2002, Applicant filed an additional memorandum regarding its plan of

1 reorganization and reemergence from bankruptcy. In the memorandum, the Applicant stated that the  
2 Bankruptcy Court confirmed Applicant's plan of reorganization on September 5, 2002. Applicant  
3 attached a copy of the first and last page of the confirmation order from the Bankruptcy Court in its  
4 September 12, 2002 filing. Applicant stated that it will emerge from Chapter 11, fully funded,  
5 carrying no debt, and anxious to begin growing the services it has continued to provide throughout  
6 the Chapter 11 process; rebuilding its 74 fixed-wireless markets; and introducing new services that  
7 the marketplace demands.

8 On January 21, 2003, by Procedural Order, Staff was ordered to file an amended Staff Report.

9 On February 14, 2003, Staff filed an amended Staff Report again recommending Applicant's  
10 Certificate be rescinded.

11 On March 14, 2003, Applicant filed a Request for Hearing.

12 IT IS THEREFORE ORDERED that a hearing shall commence on May 15, 2003 at 10:00  
13 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street,  
14 Phoenix, Arizona 85007.

15 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized  
16 Communications) applies to this proceeding as the matter is now set for public hearing.

17 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive  
18 any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing.

19 DATED this 18 day of March, 2003.

20  
21   
22 PHILIP J. DION III  
ADMINISTRATIVE LAW JUDGE

23 Copies of the foregoing mailed  
24 this 18 day of March, 2003 to:

25 Michael W. Patten  
26 ROSHKA HETMAN & DEWULF  
400 W. Van Buren, Ste. 800  
Phoenix, AZ 85004-0602

27 ...  
28 ...

1 Victoria A. Schlesinger  
2 Teligent Services, Inc.  
3 8065 Leesburg Pike, Ste. 400  
4 Vienna, VA 22182

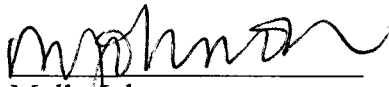
5 Terri B. Natoli  
6 Vice President, Regulatory Affairs and Public Policy  
7 Teligent Services Inc.  
8 460 Herndon Parkway, Ste. 100  
9 Herndon, CA 20170

10 Cynthia A. Hammond  
11 Churchill Mortgage of Arizona, Inc.  
12 11801 N. Tatum Blvd., Ste. 110  
13 Phoenix, AZ 85028

14 Christopher Kempley, Chief Counsel  
15 Legal Division  
16 ARIZONA CORPORATION COMMISSION  
17 1200 West. Washington Street  
18 Phoenix, AZ 85007

19 Ernest G. Johnson, Director  
20 Utilities Division  
21 ARIZONA CORPORATION COMMISSION  
22 1200 West Washington Street  
23 Phoenix, Arizona 85007

24 Arizona Reporting Service, Inc.  
25 2627 North Third Street  
26 Phoenix, AZ 85004-1103

27 By:   
28 Molly Johnson  
Secretary to Philip J. Dion III